

REMARKS/ARGUMENTS

Claims 1-11 are currently pending in this application. Various amendments have been made to the claims in order to clarify specific functions without the intent to in any way limit the scope of the claims. No new matter has been introduced into the application by these amendments.

The amendments track claim revisions made in corresponding International Application No. PCT/US04/07496 where the primary reference here, Schmutz et al (US Pub 2001/0048727), had also been cited. With respect to the amended PCT a favorable International Preliminary Report (IPRP) was issued on February 3, 2005, copy enclosed, stating:

"Claims 1-11 meet the criteria set out in PCT Article 33(2)-(4) because prior art does not teach or fairly suggest providing a correction factor corresponding to a saturation value, as specified in independent claim 1. The prior art does not teach or fairly suggest using a number of samples to perform a comparison and generating a response to the comparison, as specified in independent claim 3. The prior art does not teach or fairly suggest an erase circuit for comparing the number with a second threshold and determining if the number exceeds the second threshold, whereby the segment of data is erased when second threshold is exceeded, as specified in independent claim 10."

Claim Rejections

Claims 1 and 3 - 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmutz et al (US Pub 2001/0048727). Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmutz in view of Yang (US Pub 2003/0139160). Claims

9 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmutz in view of Alexander (US Pub 2004/0156457). These rejections are respectfully traversed for the above-quoted reasons stated in the IPRP.

The present application is directed to an automatic gain control (AGC) that applies an initial gain by a digital AGC circuit in a timeslot that is determined using a final calculated gain from the same timeslot in the previous frame together with an offset factor. An erase function is activated for a given data sample block when the number of saturated data samples that are detected within the block exceeds a **threshold** value. The power measurement made by the AGC circuit and used to update the gain is adjusted based on the number of measured data samples that are **saturated**. These elements provide a gain limiting function and allows limiting of the dynamic range for further signal processing.

Amended claim 1 defines "providing a correction factor corresponding to a saturation value." Amended claim 3 defines using a number of samples to perform a comparison and generating a response to the comparison. Amended claim 10 defines a saturation detection circuit configured to determine a number of samples of a data segment which exceed a first threshold and an erase circuit configured to compare said number with a second threshold, to determine if said number exceeds said second threshold and to erase said segment of data when said second threshold is exceeded.

Schmutz does not teach or suggest providing a correction factor corresponding to a saturation value, or using a number of samples to perform a comparison and generating a response to the comparison. Claims 3 and 14 of Schmutz are cited for teaching the claimed saturation circuit, but these are merely recitations of function in general and are not based on any teaching in the specification of Schmutz of the saturation circuit and related methods as claimed. Nor does Figure 3 provide such teaching.

Yang and Alexander do not remedy the deficiencies of Schmutz. Yang does not teach or suggest adjusting gain based upon the frequency of samples that are **saturated**.

Alexander teaches a common mode rejection circuit that deletes pulses if the sum of the lowest N channels is larger than the highest channel level. [Step 220, Alexander, Para. 0032]. In contrast, the claimed erase circuit receives the number of samples exceeding a first threshold from a saturation detection circuit and compares said number with a second threshold. If such second threshold is exceeded, the data segment is erased.

Withdrawal of the prior art rejections is, accordingly, respectfully requested.

Applicant: Haim et al.
Application No.: 10/799,951

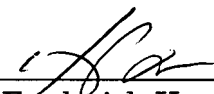
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 1 - 11, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Haim et al.

By 
C. Frederick Koenig III
Registration No. 29,662
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

CFK/RIS/jmn

Enclosure -- International Preliminary Report on Patentability dated
February 3, 2005